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such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer. If the guaranty be to the effect that such article is not adulterated, mislabeled, or misbranded within the meaning of the national pure food act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said national pure food act alone shall not be sufficient for the purposes of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said national pure food act.

"In case the wholesaler, jobber, manufacturer, or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the director of the State laboratory that such article or articles were adulterated, mislabeled, or misbranded within the meaning of this act or the national pure food act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation."

SEC. 3. The provisions of section 2 of this act shall be in force and effect from and after May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with said national pure food act, and with the regulations thereunder in force prior to May 5, 1914, the provisions of section 2 of this act shall be in force and effect from and after November 1, 1916.

Milk and Milk Products—Definitions—Pasteurization. (Act May 4, 1915.)

SECTION 1. Section 5 of an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying, and selling dairy products, oleomargarine, renovated, or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, is hereby amended to read as follows:

"SEC. 5. No person, firm, or corporation shall sell, exchange, or offer or expose, or have in its possession for sale or exchange, any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk products, as and for pasteurized milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk product, as the case may be, nor use the word 'pasteurize' or any of its derivatives in connection with the sale, designation, advertising, labeling, or billing of any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk products, unless the same and all products of milk contained therein or used in the manufacture thereof consist exclusively of milk, skim milk, or cream which has been treated by the process of pasteurization, as defined and regulated in subdivision 15, section 29, of this act.

"It shall be unlawful for any person, firm, or corporation to sell, offer for sale, or to cause or permit to be sold or offered for sale, any butter in prints or packages or otherwise other than by or in terms of pounds and ounces, avoirdupois, or for a greater weight than the true net weight thereof."

SEC. 2. Section 29 of said act, approved April 21, 1911, is hereby amended to read as follows:

"SEC. 29. Milk and the products of milk enumerated in this section shall be deemed adulterated within the meaning of this act if it or they shall not conform to the following definitions and standards:

"(1) Milk is the fresh, clean, lacteal secretion, all parts of which within 48 hours, if raw, and within 60 hours, if pasteurized, last prior to its delivery to the consumer or purchaser shall have been obtained from the udder by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, and contains not less than 3 per cent of milk fat, and not less than $8\frac{5}{8}$ per cent of solids—not fat.

"(2) Skim milk is milk from which a part or all of the cream has been removed and contains not less than $8\frac{5}{8}$ per cent of milk solids.

"(3) Condensed milk or evaporated milk, is milk from which a considerable portion of water has been evaporated. The standard of purity of condensed milk and evaporated milk shall be that proclaimed and established by the Secretary of the United States Department of Agriculture.

"(4) Condensed skim milk is skim milk from which a considerable portion of water has been evaporated, and contains not less than 18 per cent of milk solids.

"(5) Cream is that portion of milk rich in milk fat which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean and contains not less than 18 per cent of milk fat.

"(6) Evaporated cream, or clotted cream, is cream from which a considerable portion of water has been evaporated.

"(7) Milk fat, or butter fat, is the fat of milk and has a Reichert-Meissel number not less than 24 and a specific gravity not less than 0.905 (40° C.).

"(8) Butter is the clean, nonrancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass, which also contains a small portion of the other milk constituents, with or without salt, and a harmless coloring, and contains not less than 80 per cent of milk fat.

"(9) Cheese is the sound, solid, and ripened product made from milk or cream, by coagulating the casein thereof with rennet or lactic acid, with or without the addition of ripening ferments and seasoning, and with or without salt and harmless coloring matter. All cheese marked 'Full cream cheese,' or 'Full milk cheese,' must contain in the water-free substance not less than 50 per cent of milk fat. All cheese marked 'Half skim cheese' must contain in the water-free substance not less than 25 per cent of milk fat. All cheese not plainly marked or branded as to its quality must contain in the water-free substance not less than 50 per cent of milk fat.

"(10) Buttermilk is that portion of the cream which remains after the separation and removal therefrom of the butter fat in the process of churning, without the addition of water.

"(11) Ice cream is the frozen product made from pure sweet milk or condensed milk or cream and sugar, with or without a harmless flavoring or coloring, and contains not less than 10 per cent of milk fat and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(12) Fruit ice cream is the frozen product made from pure, sweet cream, sugar, and sound, clean, mature fruits, and contains not less than 8 per cent of milk fat and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(13) Nut ice cream is the frozen product made from pure, sweet cream, sugar, and sound, non rancid nuts, and contains not less than 8 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(14) Ice milk is the frozen product, containing less fat than ice cream, and made from pure, sweet milk and sugar, with or without a harmless flavoring or coloring, and

contains not less than 2.4 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(15) The process of pasteurization, as applied to milk, skim milk, cream and milk products, is hereby defined to be a process for the elimination therefrom of organisms harmful to human beings, which process shall consist of uniformly heating such milk, skim milk, or cream, as the case may be, to a temperature of not less than 140° Fahrenheit and of holding the same at the said temperature for a period of not less than 25 minutes, and immediately thereafter of cooling the same to a temperature of not above 50° Fahrenheit: *Provided*, That when cream is pasteurized to be used and is used in the manufacture of butter, or when milk is pasteurized to be used and is used in the manufacture of cheese, and where the process of ripening or starting in each case is to be commenced immediately, then it shall not be required that such cream or milk be cooled to a lower degree than is necessary for such ripening or starting. All pasteurized cream or milk used in the manufacture of pasteurized butter and cheese, respectively, shall be pasteurized at and in the plant where such butter or cheese, as the case may be, is manufactured therefrom. Repasteurization of any milk is hereby expressly forbidden.

"Also all apparatus used for the pasteurization of milk, skim milk, or cream shall be kept in strictly clean and sanitary condition and shall be equipped with a recording thermometer device which will accurately record the temperature to which and the length of time for which the pasteurized product has been heated. All recording thermometer devices used in the pasteurization of any such milk, skim milk, or cream must be approved by and at all times subject to the approval of the State dairy bureau, the State board of health, and of all other State, county, and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health; and all persons, firms, or corporations using pasteurizing apparatus within the State of California shall preserve and keep on file, for a period of not less than two months after the same are made, all records made by such thermometer, or in lieu of such preservation may deliver such records to any public officer authorized by law or ordinance to receive the same; and said records shall, at all times, be open to the inspection of the State dairy bureau, the State board of health, and of all other State, county, and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health."

Butter—Imported from Outside of the United States—Must be Labeled. (Act May 19, 1915.)

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include wholesalers, retailers, jobbers, and every place where butter that has been shipped or imported into the State of California from any point or place outside of the United States is sold or offered for sale.

SEC. 2. Every person, firm, company, or corporation who sells, offers for sale, or has in his or their possession for sale, or consigns, ships, or presents to any dealer, commission merchant, consumer, or other person any butter that has been shipped or imported into the State of California from any point or place outside of the United States shall, before doing so, cause to be stamped, marked, or printed upon the wrapper or other container thereof, in black-face letters not less than one-eighth of an inch in height, the word "imported."

SEC. 3. Every person, firm, company, or corporation selling or offering for sale any butter that has been shipped or imported into the State of California from any point or place outside of the United States shall display in a conspicuous place in his or their public salesroom a sign, which shall be not less than 1 foot in height and 2 feet in length, bearing the words "imported butter sold here," in black-face letters not less than 3 inches in height and one-half inch in width upon a white ground.